

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

RICHARD S. GRIFFIN and GRIFFIN)
FARM & LANDFILL, INC.,)

Plaintiffs,)

v.)

TOWN OF UNIONVILLE, NORTH)
CAROLINA,)

Defendant.)

Case No. 3:05-cv-514-RJC

On March 11, 2008, the Court issued its order on the parties' cross-motions for summary judgment, (Doc. No. 57), which expressly dismissed the plaintiffs' First Claim for Relief (Violation of Due Process), Third Claim for Relief (seeking a declaratory judgment regarding the Town's Ordinance), Fourth Claim for Relief (Breach of Common Law Vested Right), and Fifth Claim for Relief (asking for a franchise).

What remains is the plaintiffs' Sixth Claim for Relief, which seeks "a declaratory judgment as to the validity and limits of the plaintiffs' Special Use Permit, and a declaratory judgment that the plaintiffs are entitled to act in accordance with their rights under the Special Use Permit." (Amended Complaint at ¶ 67).

The parties are **HEREBY** instructed to submit to the Court within ten days either (a) their separate proposed declaratory judgments or (b) a proposed consent decree as to Claim Six which is consistent with the Court's summary judgment memorandum and order.

IT IS SO ORDERED.

Signed: March 14, 2008

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

